

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CLAUDE V. LEWIS,	:	Index No. 14-CV-2302(CRK)(KNF)
	:	
Plaintiff,	:	
	:	
-against-	:	DEFENDANTS' PROPOSED VOIR DIRE
	:	
AMERICAN SUGAR REFINING, INC.,	:	
and MEHANDRA RAMPHAL,	:	
	:	
Defendants.	:	
-----X	:	

Pursuant to Fed. R. Civ. P. 47(a) and the Court's Individual Rules of Practice, Defendants hereby submit the following questions to be asked of prospective jurors on voir dire. Defendants reserve the right to amend these proposed questions as necessary to conform to pre-trial rulings.

INTRODUCTION

This case is brought by Plaintiff, Claude Lewis (hereinafter "Plaintiff"), a current employee of Defendant American Sugar Refining, Inc. ("ASR") who alleges that ASR and Defendant Mehandra Ramphal ("Mr. Ramphal") violated Plaintiff's statutory rights as guaranteed by Title VII of the Civil Rights Act and/or the New York State Human Rights Law ("SHRL") by means of unlawful race and/or national origin discrimination and retaliation based upon Plaintiff's alleged lawful complaints.

Defendants wholly deny the allegations of Plaintiff's Complaint, deny that the Plaintiff was discriminated against, harassed or retaliated against because of race and/or national origin. Defendants contend that Plaintiff never experienced an adverse employment action, and never once made any complaints despite Defendants having detailed anti-discrimination and anti-harassment policies.

QUESTIONS TO THE JURY PANEL

I. Education

1. What is your highest level of education?
2. Have you achieved any degrees?
3. Have you ever taken any course where law has been taught or discussed?

II. Employment

1. What is your occupation, profession, or type of work? If retired, what kind of work did you do before retirement and when did you do it?
2. Have you ever felt uncomfortable, intimidated or threatened by another person at your workplace? If so, describe.
3. Have you ever experienced discrimination and/or harassment? If so, describe.
4. Have you ever sought the help of a supervisor or employer to put an end to discomfort, intimidation or threats at your workplace? If so, describe.
5. Have you ever sought the help of a supervisor or employer regarding a dispute you had with another employee? If so, describe.
6. In your past or present employment, have you ever been responsible for making employment decisions with respect to hiring, promotions, terminations or work conditions of other employees? If so, describe.
7. In your occupation, profession, or type of work, do you have supervisors who are responsible for evaluating your performance or making recommendations concerning your employment. If so, describe.

8. Have you ever been denied a promotion or other employment opportunity by an employer by whom you were already employed?
 - a. If so, did you think that the decision made by your employer was fair? If not, explain why you thought it was unfair.
9. Have you ever felt yourself to be the subject of discrimination based upon your gender, race, age, sexual orientation or national origin? If so, describe.
10. Do you have any friends, relatives or acquaintances who have told you that they have been the victim of discrimination? If so, describe.
11. Have you or any member of your family filed a discrimination complaint? If so, describe.
12. Do you or does anyone in your family have a background or history of working in a sugar refining operation? If so, describe.
13. Do you or does anyone in your family have a background or history of working in a factory? If so, describe.
14. Have you ever applied for, or were employed by, American Sugar Refining?
15. Do you or does anyone in your family have a background or history of being a part of a union?
16. Do you currently or have you in the past worked in a human resources department?
17. Do you currently or have you in the past worked in a law office?
18. Is there any reason why you could not be fair or impartial to Defendants because of an experience with American Sugar Refining and/or Domino Sugar? If so, describe.

III. Knowledge of Litigant, Significant Individuals or Counsel

1. Please state whether you know, know of, or have had any dealings, directly or indirectly with any of the following individuals or any members of their families, or any of the following entities:

- a. Claude Lewis, the Plaintiff;
- b. Defendant American Sugar Refining, Inc. ("ASR") including any person you know to be a current or former employee of American Sugar Refining;
- c. Mehandra Ramphal, a current employee of ASR;
- d. Robert Jandovitz, a former employee of ASR;
- e. Elizabeth Mendonca, a former employee of ASR;
- f. Debbie Troche, a former employee of ASR;
- g. Rosanna Mayo-Coleman, a current employee of ASR;
- h. Bobsie Monroe, a current employee of ASR;
- i. Adolph McBean, a current employee of ASR;
- j. Ray Grossi, a current employee of ASR;
- k. Sean Norwood, a current employee of ASR;
- l. Kevin Parnell, a current employee of ASR;
- m. Bruce Furick, a former employee of ASR;
- n. Fred Gaffney, a former employee of ASR;
- o. Lucious Green, a current employee of ASR;
- p. Karen L. Dahlman, a doctor who performed an exam of Plaintiff;

- q. Megan Goddard, Esq. or Gabrielle Vinci, Esq. (or any other attorneys or employees) of the law firm Nesenhoff Miltenberg, LLP, attorneys representing the Plaintiff;
- r. Michael T. Hensley, Esq. or Lauren Fenton-Valdivia, Esq. (or any other attorneys or employees) of the law firm Bressler, Amery & Ross, P.C., attorneys representing the Defendants.

IV. Previous Jury Experience

- 1. Have you ever sat as a juror before? If yes, what kind of case was it? Was the jury able to reach a verdict?
- 2. Based on your experiences, do you have any positive or negative feelings towards the justice system?

V. Experience with the Court System

- 1. Have you ever been a plaintiff for defendant in any type of lawsuit? If so, were you the plaintiff or defendant? If so, was it a criminal or civil case? Please describe the substance of the case.
- 2. Do you have any relatives who have been a plaintiff or defendant in a lawsuit? If so, describe.
- 3. Have you ever been involved as a witness in any case? If so, describe.
- 4. Have you ever appeared in court or had your deposition taken? If so, describe.
- 5. Does your past experience affect how you may consider this case? If so, describe.
- 6. Do you believe that because this case is in Federal Court, instead of state court, that it must be worth a great deal of money?

7. Is any close friend or relative an attorney who practices in state or federal court?

VI. Miscellaneous

1. Based on the brief summary of the facts given to you, do you have any opinion at this time regarding the facts of this case? If so, describe.
2. Are there any reasons you could not be fair and impartial in this case? If so, describe.
3. Do you feel that simply because an individual has sued a corporation or company that he is entitled to recover money?
4. Do you believe that a supervisor can be tough on employees, even mean, but still not be discriminating because of race or national origin?
5. Do you believe that a supervisor can treat a subordinate unfairly, but still not be discriminating because of race or national origin?
6. Do you feel any bias or prejudice against American Sugar Refining because it is a defendant?
7. One of the Defendants is a corporation against whom a lawsuit is brought. Under the law, a corporation is entitled to be treated the same as a private individual. Would you have any difficulty applying that principle?
8. Are you able to follow the law even if you do not agree with it?
9. If the evidence justified it, could you find in favor of the Defendants just as easily as for the Plaintiff?
10. In this trial, the Plaintiff will present his evidence first and then the Defendants will present their evidence. Would you have any trouble keeping an open mind until all evidence has been presented, even though some of the evidence might not get presented to you until the end of the trial?

11. This trial could last between 7 and 9 days. Is there anything about the length of the trial that would prevent you from sitting as a juror in this case?
12. What magazines or newspapers, if any, do you read?
13. What TV shows do you regularly watch?
14. Have you ever been convicted of a crime?